

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
GARY BOWSER,  
Defendant.

Case No. CR20-127RSL

**ORDER GRANTING  
UNOPPOSED MOTION TO  
CONTINUE TRIAL**

This matter comes before the Court on defendant's "Unopposed Motion to Continue Trial and Pretrial Motions Due Date." Dkt. # 25. Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver, the Court finds as follows:

1. The Court adopts the facts set forth in the unopposed motion: in particular, that the Government has indicated that multiple terabytes of data will be disclosed as part of discovery, the case involves multiple co-defendants, and defense counsel needs additional time to review and gather evidence. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The Court finds that a failure to grant a continuance would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

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1       3. The Court finds that the additional time requested between February 1, 2021 and  
2 the proposed trial date of July 26, 2021, is a reasonable period of delay. The Court finds that this  
3 additional time is necessary to provide defense counsel reasonable time to prepare for trial,  
4 considering the facts set forth above.

5       4. The Court further finds that this continuance would serve the ends of justice, and  
6 that these factors outweigh the best interests of the public and defendant in a speedier trial,  
7 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

8       5. Defendant has executed a waiver indicating that he has been advised of his right to  
9 a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived  
10 that right and consented to the continuation of his trial to a date up to and including August 9,  
11 2021, Dkt. # 26, which will permit his trial to start on July 26, 2021.

12       IT IS HEREBY ORDERED that the trial date shall be continued from February 1,  
13 2021 to July 26, 2021, and pretrial motions are to be filed no later than June 21, 2021;

14       IT IS FURTHER ORDERED that the period of time from the current trial date of  
15 February 1, 2021, up to and including July 26, 2021, shall be excludable time pursuant to the  
16 Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and  
17 granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C.  
18 §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B)(i), (iv).

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20       DATED this 11th day of January, 2021.

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25       Robert S. Lasnik  
26       United States District Judge